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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HIROSHI AOTO, et al.

Application No.: 10/014,355

Filed: December 14, 2001

For: BaTiO<sub>3</sub> - PbTiO<sub>3</sub> SERIES SINGLE  
CRYSTAL AND METHOD OF  
MANUFACTURING THE SAME,  
PIEZOELECTRIC TYPE  
ACTUATOR AND LIQUID  
DISCHARGE HEAD USING  
SUCH PIEZOELECTRIC TYPE  
ACTUATOR

Examiner: M. A. Anderson

Group Art Unit: 1765

July 11, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated June 11, 2003 (Paper No. 6),

Applicants provisionally elect to prosecute the Group II claims, namely Claims 13 to 24. The requirement to restrict, however, is traversed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 11, 2003

(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622

(Name of Attorney for Applicant)

*Michael K. O'Neill*

Signature

July 11, 2003

Date of Signature

Traversal is on the ground that there would not be undue burden in examining the two groups of claims in a single application. In particular, MPEP § 808 makes it clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II in a single application. Although it is true that Group I claims a product while Group II claims a process, and that the Group I product could be made by a process different from that claimed in Group II, it is nevertheless believed that the two groups of claims are not so unrelated as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Attorney for Applicants

Registration No. 32,622

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